



# PUBLIC NOTICE

Federal Communications Commission  
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DA 07-2519

Released: June 12, 2007

## DOMESTIC SECTION 214 APPLICATION FILED FOR THE TRANSFER OF ASSETS OF DES COMMUNICATIONS, INC., TO SUNESYS, LLC

### STREAMLINED PLEADING CYCLE ESTABLISHED

WC Docket No. 07-116

**Comments Due: June 26, 2007**

**Reply Comments Due: July 3, 2007**

The following application was filed pursuant to section 63.03 of the Commission's rules requesting approval to transfer the assets of DES Communications, Inc. ("DES") to Sunesys, LLC ("Sunesys") (together, "Applicants").<sup>1</sup> DES, a Pennsylvania corporation, provides competitive access service to commercial customers in Pennsylvania. Sunesys, a Delaware limited liability company, is a wholly owned subsidiary of InfraSource Incorporated, which is in turn wholly owned by InfraSource Services, Inc., both U.S.-based corporations.<sup>2</sup> Sunesys currently provides competitive telecommunications services in California, Georgia, Maryland, New Jersey, and Pennsylvania, and is authorized to provide service in several other states. Its affiliate, Sunesys of Virginia, Inc., is authorized to provide competitive telecommunications services in Virginia. Under the terms of the proposed transaction, Sunesys will acquire the Pennsylvania assets of DES, its customer accounts, and contracts. The Applicants assert that the proposed transaction is entitled to presumptive streamlined treatment under section 63.03(b)(2)(i) of the Commission's rules<sup>3</sup> and that a grant of the application will serve the public interest, convenience, and necessity.

<sup>1</sup> 47 C.F.R. § 63.03; see 47 U.S.C. § 214. Applicants filed a supplement to their application on June 11, 2007.

<sup>2</sup> Sunesys has a domestic 214 application currently pending to transfer control of InfraSource Services, Inc., Sunesys, LLC, and Sunesys of Virginia, Inc., to Quanta MS Acquisition, Inc., a wholly owned subsidiary of Quanta Services, Inc. ("Quanta"). Quanta is a U.S. based entity that provides contracting services for electric, gas, telecommunications, and cable television networks and does not currently offer telecommunications services. *Domestic Section 214 Application Filed for the Transfer of Control of InfraSource Services, Inc., Sunesys, LLC, and Sunesys of Virginia, Inc. to Quanta Services, Inc.*, WC Docket No. 07-94, Public Notice, DA 07-2086 (rel. May 16, 2007). Applicants state that transfer of ultimate control of Sunesys to Quanta will be transparent to DES customers.

<sup>3</sup> 47 C.F.R. § 63.03(b)(2)(i).

## **GENERAL INFORMATION**

The transfer of assets identified herein has been found, upon initial review, to be acceptable for filing as a streamlined application. The Commission reserves the right to return any application if, upon further examination, it is determined to be defective and not in conformance with the Commission's rules and policies. Pursuant to section 63.03(a) of the Commission's rules, 47 CFR § 63.03(a), interested parties may file **comments on or before June 26, 2007** and **reply comments on or before July 3, 2007**. Unless otherwise notified by the Commission, Applicants are permitted to transfer the assets on the 31<sup>st</sup> day after the date of this notice.<sup>4</sup> Comments may be filed using: (1) the Commission's Electronic Comment Filing System (ECFS), (2) the Federal Government's eRulemaking Portal, or (3) by filing paper copies. See *Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998).

- **Electronic Filers:** Comments may be filed electronically using the Internet by accessing the ECFS: <http://www.fcc.gov/cgb/ecfs/> or the Federal eRulemaking Portal: <http://www.regulations.gov>. Filers should follow the instructions provided on the website for submitting comments.
- **For ECFS filers,** if multiple docket or rulemaking numbers appear in the caption of this proceeding, filers must transmit one electronic copy of the comments for each docket or rulemaking number referenced in the caption. In completing the transmittal screen, filers should include their full name, U.S. Postal Service mailing address, and the applicable docket or rulemaking number. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions, filers should send an e-mail to [ecfs@fcc.gov](mailto:ecfs@fcc.gov), and include the following words in the body of the message, "get form." A sample form and directions will be sent in response.
- **Paper Filers:** Parties who choose to file by paper must file an original and four copies of each filing. If more than one docket or rulemaking number appears in the caption of this proceeding, filers must submit two additional copies for each additional docket or rulemaking number.

Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (although we continue to experience delays in receiving U.S. Postal Service mail). All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

The Commission's contractor will receive hand-delivered or messenger-delivered paper filings for the Commission's Secretary at 236 Massachusetts Avenue, N.E., Suite 110, Washington, D.C. 20002. The filing hours at this location are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building. Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743. U.S. Postal Service first-class, Express, and Priority mail should be addressed to 445 12th Street, S.W., Washington D.C. 20554.

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<sup>4</sup> Such authorization is conditioned upon receipt of any other necessary approvals from the Commission in connection with the proposed transaction.

People with Disabilities: To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an e-mail to [fcc504@fcc.gov](mailto:fcc504@fcc.gov) or call the Consumer & Governmental Affairs Bureau at 202-418-0530 (voice), 202-418-0432 (tty).

**You may submit comments, identified by the above noted docket number, by any of the following methods:**

- Federal eRulemaking Portal: <http://www.regulations.gov>. Follow the instructions for submitting comments.
- Federal Communications Commission's Web Site: <http://www.fcc.gov/cgb/ecfs/>. Follow the instructions for submitting comments.
- People with Disabilities: Contact the FCC to request reasonable accommodations (accessible format documents, sign language interpreters, CART, etc.) by e-mail: [FCC504@fcc.gov](mailto:FCC504@fcc.gov) or phone: 202-418-0530 or TTY: 202-418-0432.

**In addition, one copy of each pleading must be sent to each of the following:**

- (1) The Commission's duplicating contractor, Best Copy and Printing, Inc., 445 12th Street, S.W., Room CY-B402, Washington, D.C. 20554, [www.bcpiweb.com](http://www.bcpiweb.com); phone: (202) 488-5300 fax: (202) 488-5563;
- (2) Tracey Wilson-Parker, Competition Policy Division, Wireline Competition Bureau, 445 12th Street, S.W., Room 5-A103, Washington, D.C. 20554; email: [tracey.wilson-parker@fcc.gov](mailto:tracey.wilson-parker@fcc.gov);
- (3) Jodie May, Competition Policy Division, Wireline Competition Bureau, 445 12th Street, S.W., Room 5-C234, Washington, D.C. 20554; e-mail: [jodie.may@fcc.gov](mailto:jodie.may@fcc.gov);
- (4) Susan O'Connell, Policy Division, International Bureau, 445 12th Street, S.W., Room 7-B544, Washington, D.C. 20554; email: [susan.o'connell@fcc.gov](mailto:susan.o'connell@fcc.gov); and
- (5) Jim Bird, Office of General Counsel, 445 12th Street, S.W., Room 8-C824, Washington, D.C. 20554; e-mail: [jim.bird@fcc.gov](mailto:jim.bird@fcc.gov).

Filings and comments are also available for public inspection and copying during regular business hours at the FCC Reference Information Center, Portals II, 445 12th Street, S.W., Room CY-A257, Washington, D.C. 20554. They may also be purchased from the Commission's duplicating contractor, Best Copy and Printing, Inc., Portals II, 445 12th Street, S.W., Room CYB402, Washington, D.C. 20554, telephone: (202) 488-5300, fax: (202) 488-5563, or via e-mail [www.bcpiweb.com](http://www.bcpiweb.com).

For further information, please contact Tracey Wilson-Parker at (202) 418-1394, or Jodie May at (202) 418-0913.

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